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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Huiping LI

Appl. No. 09/935,610

Filed: August 24, 2001

For: EXTRACTION OF TEXTUAL AND  
GRAPHIC OVERLAYS FROM  
VIDEO

Art Unit: 2672

Examiner: J.A. Brier

Atty. Docket No. 37112-173148

Customer No. 26694  
PATENT TRADEMARK OFFICE

**Response to Notice of Non-Compliant Amendment**

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

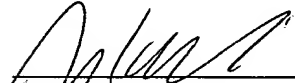
In response to the Notice of Non-Compliant Amendment mailed February 27, 2008, a copy of which is attached hereto, Applicants submit the following correction to the claims. Submitted herewith is a corrected Amendment including a complete listing of all claims and the proper status identifier of each claim in the present application.

As respectfully submitted that the amendment is compliance with 35 C.F.R. 1.121. Entry of the amendment is respectfully requested. Please do not hesitate to contact the undersigned by telephone if there are any additional problems with the amendment.

No fees are believed to be required. However, if the Office deems that any fees are necessary, authorization is hereby granted to charge any required fees to Deposit Account No. 22-0261.

Date: 3/19/08

Respectfully submitted,



Jeff A. Kaminski  
Registration No. 42,709

VENABLE

P.O. Box 34385

Washington, D.C. 20043-9998

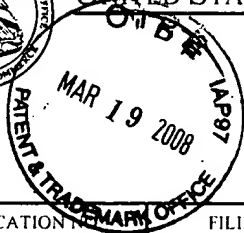
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,610	08/24/2001	Huiping Li	37112-173148	8980

Venable  
P.O. Box 34385  
Washington, DC 20043-9998

7590 02/27/2008

EXAMINER

BRIER, JEFFERY A

ART UNIT	PAPER NUMBER
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2628

MAIL DATE	DELIVERY MODE
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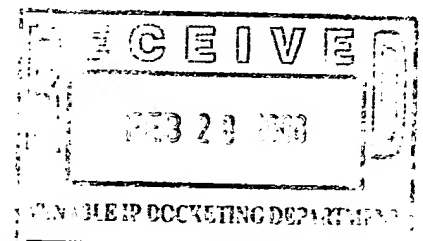
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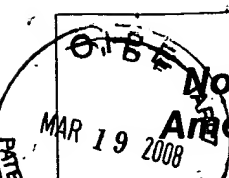
PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1 - no resp due  
DOCKETED  
37112 -  
CLIENT/MATTER # 173148 ATTY JAK  
DUE DATE March 27, 2008  
FINAL DEADLINE Aug 27, 2008  
DKTED BY [signature]



 <p><b>Notice of Non-Compliant Amendment (37 CFR 1.121)</b></p>	Application No.	Applicant(s)	
	09/935,610	LI ET AL.	
	Examiner Jeffery A. Brier	Art Unit 2628	

The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 13 December 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

#### TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.



Continuation of 4(e) Other:

At page 17 applicant states in the first full paragraph:

Regarding independent claims 4, 29 and 31, each of these claims is directed to an overlay that is only a text overlay. In view of these amendments, it is respectfully submitted that all pending claims are in all aspects in compliance with 35 U.S.C. 112, second paragraph.

At page 17 applicant states in the third full paragraph:

Regarding independent claims 4, 29 and 31, the claims have been amended to clarify that these claims are limited to text overlays. Consequently, processing only graphics or graphic combined with text overlays is not within the scope of this claim. Therefore, these claims do not preempt all substantial use of any computer program, software or mathematical formula.

However, claims 4, 29, and 31 filed on 12/13/2007 have not been amended or these claims do not show the amendments in the manner required by 37 CFR 1.121 and they not have the status identifier (Currently Amended).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A Brier whose telephone number is (571) 272-7656. The examiner can normally be reached on M-F from 7:30 to 4:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (571) 272-7664. The fax phone Number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jeffery A. Brier/  
Primary Examiner, Division 2628